Earle of Queen Anne's County and province aforesaid Gentlemen, if they should be found in his Baliwick and them should safe keep, so that he might have their Bodies before the Judges of the General Court at the next Court to be held for the Eastern Shore of this State at Talbot County Court House the second Tuesday of September then next; to answer Daniel Dulany Executor of the last Will and Testament of Ann Tasker deceased who was Executrix of the last Will and Testament of Benjamin Tasker Esq. deceased, of a plea that they render to him five hundred and sixty five pounds, five shillings Sterling money of Great Britain of the value of Nine hundred and forty two pounds, one shilling and eight pence current money of Maryland, which from him they unjustly detain, &c: And that thereof he the said Sheriff was put to fail at his peril, and that he should have then and there that writ, &c.

A Duplicate of the aforegoing writ was made out and sent to the Sheriff of Talbot County.

At which said second Tuesday in September, seventeen hundred and eighty seven came the said Daniel Dulany by William Hayward his Attorney; and the Sheriff of Queen Anne County aforesaid, to whom the aforegoing writ was directed, did not come nor did he do any thing therein: And the said Richard Tilghman Earle and James Earle came voluntarily into Court by William Tilghman their Attorney, and pray leave to imparle thereof until the second Tuesday in April then next: And it was granted unto them; the same day was given the pl. Daniel then, &c.

At which said second Tuesday of April, seventeen hundred and eighty seven came again the parties aforesaid by their Attorneys aforesaid: Thereupon further process of and upon the premises pl. between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid, had by order of the Court here thereon was further continued until the second Tuesday in September then next following.

And now here at this day, to wit, the second Tuesday of September, seventeen hundred and eighty seven, came again the parties aforesaid, by their Attornies pl: And the said Daniel Dulany Executor as aforesaid, by his Attorney aforesaid affirmed his Declaration in the plea aforesaid, against the said Richard Tilghman Earle and James Earle in manner and form following, to wit:

Queen Anne County, ss: Richard Tilghman Earle late of Queen Anne's County Gen-

tleman and James Earle late of Talbot County Gentleman, otherwise called Richard Tilghman Earle and James Earle of Queen Anne's County in the province pl. Gentlemen; was summoned to answer unto Daniel Dulany Executor of the last Will and Testament of Ann Tasker deceased, who was Executrix of the last Will and Testament of Benjamin Tasker deceased, of a plea that they render to him five hundred and sixty five pounds, five shillings Sterling money of Great Britain of the value of Nine hundred and forty two pounds, one shilling and eight pence current money of Maryland which from him they unjustly detain and so forth.

And whereupon the said Daniel by William Hayward his Attorney saith that whereas the said Richard Tilghman and James on the eighth day of November in the year of our Lord, one thousand seven hundred and sixty seven, at Queen Anne's County pl. by their certain writing Obligatory which the said Daniel with the Seals of the said Richard Tilghman and James sealed, here into Court doth bring, the date whereof is the same day and year aforesaid, acknowledged themselves to be held and firmly bound unto the said Benjamin in his life time in the said sum of five hundred and sixty five pounds Sterling money of Great Britain which then was, now is, and ever since hath been of the value aforesaid, to be paid to the said Benjamin when they the said Richard Tilghman and James should be thereto afterwards required: Nevertheless the said Richard Tilghman and James tho' often requested the said sum of Sterling money of Great Britain, or the said value thereof unto the said Benjamin in his life time or to the said Ann in her life time after the death of the said Benjamin, or to the said Daniel after the death of the said Ann have not paid, but the same to the said Benjamin in his life time to pay the said Richard Tilghman and James refused and the same to the said Ann in her life time, after the death of the said Benjamin to pay, the said Richard Tilghman and James also refused and the same to the said Daniel since the death of the said Ann to pay the said Richard Tilghman and James hitherto have refused and still do each of them doth refuse and unjustly detain; whereupon the said Daniel saith he is injured and hath damage to the value of One thousand pounds current money of Maryland and therefore he brings suit &c. &c. &c.

And he brings here into Court as well the Letters Testamentary of the said Benjamin whereby it appears to the Court here that the said Ann was Executrix of the last

(Will